

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

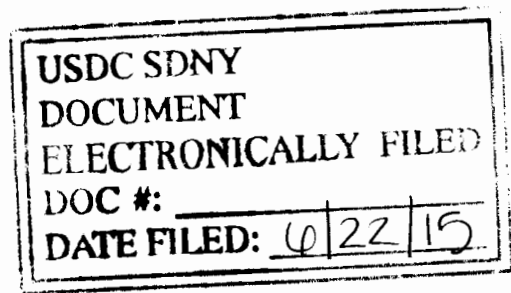
FERNANDA GARBER, MARC LERNER,
DEREK RASMUSSEN, ROBERT SILVER,
GARRETT TRAUB, and VINCENT
BIRBIGLIA, representing themselves and all
others similarly situated,

Plaintiffs,

v.

OFFICE OF THE COMMISSIONER OF
BASEBALL, et al.,

Defendants



12-cv-3704 (SAS)

[PROPOSED] REVISED SCHEDULING ORDER

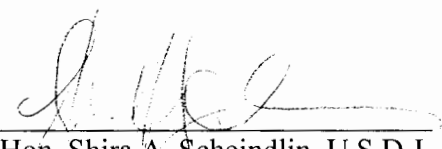
For good cause shown, the parties are directed to comply with the following schedule for merits expert discovery and any summary judgment motion:

- (a) Defendants' rebuttals to merits issues raised in Dr. Noll's expert reports and (b) Defendants' expert reports on any other non-damages issues not previously addressed in a party's expert reports shall be served no later than August 24, 2015.
- Rebuttals to (b) above shall be served no later than November 2, 2015.
- All merits expert discovery, including depositions, shall be completed by December 15, 2015.
- Should any party intend to file a *Daubert* motion concerning merits expert discovery, or should Plaintiffs intend to file a summary judgment motion, pre-motion letters shall be filed no later than December 22, 2015.
- Any responsive pre-motion letters shall be filed no later than December 30, 2015.
- The Court shall hold a pre-motion conference on any proposed motions at its earliest convenience after the filing of the pre-motion letters.

- If, after the pre-motion conference, the Court finds papers to be necessary, Plaintiffs shall file any summary judgment motion and supporting papers within 14 days of the Court's pre-motion conference.
- Oppositions to any motion for summary judgment shall be filed and served no later than 35 days after the filing of that motion.
- Replies in support of any motion for summary judgment shall be filed and served no later than 28 days after the filing of responses in opposition.
- A schedule for trial shall be set after the Court's decision on Plaintiffs' summary judgment motion, if any, or, if the Court determines after a pre-motion conference that summary judgment papers are not necessary, after such pre-motion conference.

No further adjournment will be granted.
SO ORDERED

Date: 10/22/15


Hon. Shira A. Scheindlin, U.S.D.J.